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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8 **-oOo-**
9

10 UNITED STATES OF AMERICA,) 2:10-cr-0121-RLH-RJJ
11)
PLAINTIFF,) MOTION TO DISMISS COUNTS NINE,
12) ELEVEN AND TWELVE OF THE
VS.) INDICTMENT
13)
BRETT I. DEPUE,)
14)
DEFENDANT.)
15)
16 _____

17 The United States of America, by and through Daniel G. Bogden, United States Attorney,
18 and Brian Pugh and Sarah E. Griswold, Assistant United States Attorneys, moves to dismiss
19 Counts Nine, Eleven, and Twelve of the Indictment.

20 Respectfully submitted this 13th day of February 2012.

21 DANIEL G. BOGDEN
United States Attorney

22 /s/ Brian Pugh
BRIAN PUGH
23 SARAH E. GRISWOLD
Assistant United States Attorneys
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an employee in the office of the United States Attorney for the District of Nevada and is a person of such age and discretion as to be competent to serve papers and that on February 14, 2012, a copy of the foregoing document will be hand delivered and served on Brett Depue, defendant.

/s/ Brian Pugh
BRIAN PUGH